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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

YOUYI WU,

Plaintiff,

v.

ALBERTO GONZALES, United States
 Attorney General, United States Department of
 Justice;
 MICHAEL CHERTOFF, Secretary, Department
 of Homeland Security;
 EMILIO T. GONZALEZ, Director, United
 States Citizenship and Immigration Services;
 DAVID STILL, San Francisco District Director,
 United States Citizenship and Immigration)
 Services;

ROBERT S. MUELLER, III, Director,
 Federal Bureau of Investigations,

Defendants.

No. C 07-3469 HRL

**STIPULATION TO DISMISS; AND
 ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services is now prepared to adjudicate Plaintiff's application for naturalization and agrees to do so within 30 days of the dismissal of this action.

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Stipulation to Dismiss
 C07-3469 HRL

Each of the parties shall bear their own costs and fees.

Date: October 12, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

/s/

MELANIE L. PROCTOR
Assistant United States Attorney
Attorneys for Defendants

Date: October 12, 2007

/s/

JUSTIN FOK
Attorney for Plaintiff

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: 10/16/07



HOWARD R. LLOYD
United States Magistrate Judge